E.O.D. 4/2/03

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
APR 02 2003
DAVID J. MALAND, CLERK
BY
DEPUTY

IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY, ET AL. **Plaintiffs**	§	
V.	§	**No. 5:01CV344**
ABACUS, ET AL. **Defendants**	§	

AMENDED ORDER

Pursuant to the provisions of 28 U.S.C. § 636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for Assignment of Duties to United States Magistrate Judges dated January 15, 1994, the above-entitled and numbered cause of action was referred to the Honorable Caroline M. Craven for pretrial purposes. Pursuant to Judge Parker's suggestion that early mediation be optional rather than mandatory, the Court issues the following amendment to its March 28, 2003 Order setting an early mediation deadline.

This Order amends the Court's requirements for the early mediation, hereby making the mediation optional for the parties. Any party that wishes to proceed with the mediation on or before April 21, 2003, should contact Judge Parker in writing. The mediation will be scheduled at a date and time to be determined by Judge Parker.

The Court also hereby orders that discovery may proceed on the limited issues of Plaintiffs' failure to give notice required for indirect infringement and Plaintiffs' failure to comply with marking and notice requirements of 35 U.S.C. § 287.

IT IS SO ORDERED.

SIGNED this 2nd day of April, 2003.

Caroline M. Craven
CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE

1153